

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

JASMINE NORVILLE, on behalf of herself
and all others similarly situated,

Plaintiff,

v.

TD BANK, N.A.,

Defendant.

CIVIL ACTION

Docket No: Case 1:21-cv-09167-LJL

JOINT MOTION TO TRANSFER ACTION

Plaintiff Jasmine Norville and Defendant TD Bank, N.A., by and through undersigned counsel, jointly move pursuant to 28 U.S.C. § 1404(a) and the first-filed rule to transfer this matter to the United States District Court for the District of New Jersey. In support of this Joint Motion, the parties state as follows.

1. There is currently a first-filed putative class action pending against TD Bank, N.A. in the United States District Court for the District of New Jersey, *Burns et al. v. TD Bank, N.A.*, Docket No. 1:21-cv-18194-KMW-AMD (the “Burns Action”), which was filed in August 2021, nearly three months before this Action. A true and current copy of the currently operative Burns Action complaint (an amended complaint filed in November 2021) is attached hereto as Exhibit A.
2. This Action and the Burns Action are identical but for the identity of the named plaintiffs and their counsel: they are filed against the same defendant, assert the same factual allegations and legal claims to relief, and encompass the same putative classes.

3. For purposes of judicial efficiency and to avoid competing lawsuits in multiple forums, the parties have agreed that this Action should be transferred to the District of New Jersey to be consolidated with the first-filed Burns Action.

For the foregoing reasons, Plaintiff Jasmine Norville and Defendant TD Bank, N.A. respectfully request that the Court transfer this Action to the United States District Court for the District of New Jersey (Camden Vicinage) to be consolidated with the first-filed Burns Action.

Date: January 19, 2022


/s/ Melanie A. Conroy

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The request is granted. This action is to be transferred to the United States District Court for the District of New Jersey (Camden Vicinage) to be consolidated with *Burns et al. v. TD Bank, N.A.*, No. 1:20-cv-18194-KMW-AMD.

1/20/22 SO ORDERED.


LEWIS J. LIMAN
United States District Judge

/s/ Joseph I. Marchese

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